

REQUEST FOR COUNCIL ACTION

SUBJECT: Copper Valley Estates General Plan Future Land Use Map amendment and Rezone

SUMMARY: Copper Valley Rezone and General Plan Future Land Use Map Amendment; Northwest Corner of 8600 South 5600 West; Future Land Use Map Amendment for 2.41 acres from Medium Density Residential to Neighborhood Commercial and Rezone 2.41 acres from R-1-8D (Single-family Residential 8,000 square foot lots) to SC-1 (Neighborhood Shopping Center) Zone; Perry Homes/Jeff Taylor (applicant) [Larry Gardner #ZC20130007 and GPA20130002; parcel 20-35-400-025]

FISCAL IMPACT: None.


STAFF RECOMMENDATION: Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council amend the General Plan Future Land Use Map for 2.41 acres located at approximately 8600 South and 5600 West from Medium Density Residential to Neighborhood Commercial and Rezone 2.41 acres located at approximately 8600 South and 5600 West from R-1-8D (Single-family Residential 8,000 square foot lots) to the SC-1 (Neighborhood Shopping Center) Zone.

PLANNING COMMISSION RECOMMENDATION: On April 15, 2014 the Planning Commission by a unanimous vote recommends that the City Council approve the request to amend the General Plan Future Land Use Map for 2.41 acres located at approximately 8600 South and 5600 West from Medium Density Residential to Neighborhood Commercial and Rezone 2.41 acres located at approximately 8600 South and 5600 West from R-1-8D (Single-family Residential 8,000 square foot lots) to the SC-1 (Neighborhood Shopping Center) Zone.

MOTION RECOMMENDED: "Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council amend the General Plan Future Land Use Map for 2.41 acres located at approximately 8600 South and 5600 West from Medium Density Residential to Neighborhood Commercial and Rezone 2.41 acres located at approximately 8600 South and 5600 West from R-1-8D (Single-family Residential 8,000 square foot lots) to the SC-1 (Neighborhood Shopping Center) Zone.

Roll Call vote required


Prepared by:


Larry Gardner, Senior Planner

Reviewed by/Concur with:


Tom Burdett, Development Director

Recommended by:


Richard L. Davis, City Manager

Reviewed as to legal form:


Robert Thorup, Deputy City Attorney

I. BACKGROUND:

As part of the improvements associated with the Mountain View Corridor, New Bingham Highway was abandoned from 5600 West to 9000 South. This abandonment facilitated the realignment of the New Bingham Highway/5600 West intersection; moving the intersection from approximately 8700 South to 8600 South. This realignment helps the future road network for this section of the city by creating a more typical east-west/north-south grid.

The road realignment in this area places the subject property on the northwest corner of an Arterial Road (5600 West) and a future Collector Road (8600 South), this making the location less attractive for homes and more attractive for commercial development. The applicant is proposing a land use map and zoning map amendments that will align with the most desirable future land use of this corner.

On April 15, 2014, the Planning Commission reviewed this request and unanimously (7-0 vote) recommended that the Future Land Use Map amendment and rezoning request be approved by the City Council (Exhibit M).

II. GENERAL INFORMATION & ANALYSIS

The subject property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential	R-1-8D	Vacant
South	High Density Residential (across 8600 South)	HFR	Vacant
East	Low Density Residential (across 5600 West)	R-1-12E	Single-family Residential
West	Medium Density Residential(across Mountain View corridor)	LSFR	Vacant

The applicant is requesting two map amendments. The first is an amendment to the Future Land Use Map from Medium Density Residential to Neighborhood Commercial; the second change is an amendment to the Zoning Map from R-1-8D to SC-1. Both amendments occupy the same 2.41 acre piece of property, on the northwest corner of 5600 West 8600 South.

The applicant has submitted a concept subdivision plan that shows how the 2.41 acre piece of property could possibly be used as a site for a convenience store and gas station.

If the City Council approves the rezone, the applicant must also receive subdivision and site plan approval from the Planning Commission prior to the construction of any development. Those reviews will give the Commission the opportunity to review a more detailed plan of the commercial design.

III. FINDINGS OF FACT

Section 13-7C-6: Amendments to the Land Use Map

According to City Code, Section 13-7C-6), any amendments to the general plan, including maps, shall be approved only if the following are met.

Finding A: *The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.*

Discussion: The applicant is proposing to amend the Future Land Use Map from Medium Density Residential to Neighborhood Commercial. The General Plan states:

“The Neighborhood Commercial designation is applied to areas in which the primary use of the land is for commercial and service functions that serve the daily convenience needs of a surrounding residential neighborhood. The services provided in these districts will normally serve a trade area population up to 10,000 people. This type of commercial use is intended to be located near or within neighborhoods and to be integrated into the residential structure of a neighborhood in a manner that will create a minimum impact on surrounding residential development. Each neighborhood shopping node shall be relatively small in size and may include such uses as small convenience grocery stores, variety stores, bakeries, professional service shops, restaurants, self-service laundries, and barber or beauty shops.”

Commercial Goal 2, Policy 1 states, *“Continue to implement the policy of limiting commercial centers to “nodes” located at the intersections of major arterial streets or, in the case of neighborhood commercial centers, at designated locations within large planned residential communities.”*

Due to the relocation of the intersection of 5600 West 8600 South, the property is now located at an intersection of a planned arterial and collector road. The size of the property (2.41 acres) is large enough to support small service-oriented, commercial businesses, without being too large to attract larger commercial businesses that could negatively impact adjacent residential uses. The uses that would be allowed at this location include general retail stores e.g., apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet stores, photocopying and blueprinting shops, photography supply stores, record, tape and video stores,

sporting goods stores, toy stores, and variety stores. Gasoline service stations are allowed in the SC-1 zone, but car washes are not allowed. The commercial uses will also be buffered as required by city code to lessen the impacts between incompatible uses when the commercial site is developed. The buffering includes a minimum of twenty feet of landscaping, with the inclusion of a sufficient number of trees to block both visual and auditory impacts. A solid wall will also be installed between the residential zone and the commercial zone as part of the subdivision process.

The General Plan Goal 1 Policy 2 Implementation measure (3) states: *“Maintain established minimum distances from intersections for driveway locations on all city streets.”*

The intersections into the commercial property do not meet the minimum distance requirements of City Standards. Each intersection is short 100 feet from the proposed intersection of 5600 West and the proposed 8600 South collector street. (See *Traffic Engineer’s Memo*) However, the reduced distance can be mitigated by measures such as, right in/right out only access to the property and by the installation of curb islands in 5600 West and 8600 South as the property is developed. These measures will insure the safety of both 5600 West and the proposed 8600 South streets.

The General Plan Goal 1 Policy 3 states: *“Maintain a minimum level of service “C” on collector streets and a level of service “D” on arterial streets.”*

A traffic impact study submitted by the applicant determines that both the future residential development and commercial development of 2.41 acres will not impact the roads in a way that will require traffic mitigations. The study determines that both streets will maintain a level of service “A” after the development is constructed. Attached are both the executive summary of the traffic impact study and a memo from the City’s Traffic Engineer.

Finding: The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Finding B: *The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.*

Discussion: The Neighborhood Commercial designation is commonly found at the intersections of Arterial and collector roads. A commercial use is a higher and better use on a busy corner than residential use would be. Neighborhood Commercial is not currently found at this intersection because the road realignment took place approximately a year and a half ago. Amending the Future Land Use Map to reflect the changes to the road network appears to be in alignment with the established development pattern of the city.

Finding: The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Finding C: *The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.*

Discussion: The Neighborhood Commercial land use is designed to provide unobtrusive commercial services to adjacent and nearby residential land uses. Placing two acres of Neighborhood Commercial on the corner of two higher capacity roads will provide convenient commercial services to existing and future residential developments planned for the area. Through various types of installations and treatments as described in Finding A, the commercial uses can be sufficiently mitigated to lessen the impacts to residential uses in the area.

Finding: The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Finding D: *The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.*

Discussion: The applicant will directly benefit from approval of the proposed amendment; however, the amendment allows for a better use of property that will be located at the intersection of two high volume roads, because of the road realignment. The strategic placement of needed commercial uses close to residents will cut down on unnecessary travel trips cutting down on fuel waste and air pollution.

Finding: The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

Finding E: *The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.*

Discussion: Most of the time a change in land use requires alterations to public infrastructure. The opposite is true in this case as the proposed amendment to the land use is a reaction to the changes already made, and that are proposed, to the public infrastructure.

The General Plan Goal 1 Policy 2 Implementation measure (3) states: “Maintain established minimum distances from intersections for driveway locations on all city streets.”

The General Plan Goal 1 Policy 3 states: “*Maintain a minimum level of service “C” on collector streets and a level of service “D” on arterial streets.*”

Please refer to “Finding A” which addresses both issues.

It was determined at the pre-application meeting that the existing public safety, sewer, water and storm water facilities are adequate to handle the installation of 2.41 acres of commercial development without requiring the addition of expensive improvements.

Finding: The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Finding F: *The proposed amendment is consistent with other adopted plans, codes and ordinances.*

Discussion: The amendment was reviewed for consistency against the City’s General Plan, the zoning ordinance and adopted street design standards.

Finding: The Land Use Map amendment is consistent with the plans, ordinances and standards if the use is mitigated as outlined in Findings A,C and E of this report.

Section 13-7D-7(A): Amendments to the Zoning Map

According to City Code, Section 13-7D-7(A), the following shall be met in approving any amendments to the Zoning Map.

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City’s General Plan.*

Discussion: See Future Land Use Map amendment Finding A and Finding E.

Finding: The proposed rezone is consistent with the purposes, goals, objectives and policies of the City’s General Plan.

Criteria 2: *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: The SC-1 zone is intended to provide commercial uses in close proximity to and that are compatible with residential uses.

“SC-1 Zone: The neighborhood shopping center (SC-1) zone is established to provide an area in which the primary use of the land is for commercial and service uses to serve the daily convenience needs of the surrounding residential neighborhood. The SC-1 zone is intended to be located within neighborhood areas and to be integrated into the residential structure of a neighborhood in a manner that will create a minimum of detriment, hazard or inconvenience to surrounding residential development. Each neighborhood shopping center zone will be small. It is intended that the SC-1 zone shall be characterized by a harmonious grouping of commercial stores and shops that will be architecturally designed, and will function, as an integrated unit. The architectural design and character should also be compatible with that of the surrounding residential environment. Clean, well-lighted parking lots and attractive well maintained shops with appropriate landscaping will also be characteristic of this zone. Lighting will be of a relatively low intensity and low profile with adequate shielding to protect surrounding residential areas. Uses permitted within the SC-1 zone will be those which will create no detriment to the surrounding residential areas, and will generally serve only the daily convenience needs of the residential neighborhood. Dwellings, industries, recreational uses, or other heavy commercial uses that tend to thwart and discourage the use of the land within this zone for its primary purpose have been excluded. Typical uses allowed in this zone are small convenience grocery stores, variety stores, shoe shops, dry cleaning pick up stations, self-service laundries, and barber or beauty shops.”

Placing two acres of Neighborhood Commercial on the corner of two higher capacity roads will provide convenient commercial services to existing and future residential developments planned for the area. Through various types of installations and treatments the commercial uses can be sufficiently mitigated to lessen the impacts to residential uses in the area. The buffering includes a minimum of twenty feet of landscaping, the inclusion of a sufficient number of trees to block both visual and auditory impacts. A solid wall will also be installed between the residential zone and the commercial zone as part of the subdivision process. Commercial uses allowed in the SC-1 zone tend to be small, less obtrusive uses. The uses that would be allowed at this location include general retail stores e.g., apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet stores, photocopying and blueprinting shops, photography supply stores, record, tape and video stores, sporting goods stores, toy stores, and variety stores. Gasoline service stations are allowed in the SC-1 zone but car washes are not allowed showing that the more impactful uses to residents are not allowed.

Finding: The proposed rezone will result in compatible land use relationships and does not adversely affect adjacent properties.

Criteria 3: *The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.*

Discussion: The proposed SC-1 zone will facilitate small scale commercial services that will serve the existing and future residential development in the area. Small nodes of commercial areas strategically placed throughout the City assist to increase the general welfare of the City, particularly the neighborhood it serves. Well placed commercial can also help preserve fuel and reduce air pollution. When the commercial project is developed access to the property from 5600 West or 8600 South Street will be limited to an alternative type access, such as right-in, right-out and the installation of street islands, to maintain safety along the arterial and collector streets.

Finding: The proposed rezone furthers the public health, safety and general welfare of the citizens of the city.

Criteria 4: *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: See Future Land Use Map amendment Criterion E.

Finding: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5: *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The property is not located within any overlay zone.

Finding: This criterion does not apply.

IV. SUMMARY OR CONCLUSION:

The proposed Future Land Use Map amendment and rezone of approximately 2.41 acres of property to the SC-1 zoning district is compatible with adjoining land uses and transportation system.

V. STAFF RECOMMENDATIONS:

Future Land Use Map Amendment

Based on the findings set forth in this staff report, staff recommends that the City Council amend the Future Land Use map from Medium Density Residential to Neighborhood Commercial for approximately 2.41 acres of property generally located at 8600 South 5600 West.

Zoning Map Amendment

Based on the findings set forth in this staff report, staff recommends that the City Council rezone approximately 2.41 acres of property generally located at 8600 South 5600 West from R-1-8D (Single-family Residential, 8,000 square foot lot minimum) to SC-1 (Neighborhood Shopping Center) zone.

VII. MOTION RECOMMENDED:

Future Land Use Map Amendment and Zoning Map Amendment

“Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council amend the General Plan Future Land Use Map for 2.41 acres located at approximately 8600 South and 5600 West from Medium Density Residential to Neighborhood Commercial and Rezone 2.41 acres located at approximately 8600 South and 5600 West from R-1-8D (Single-family Residential 8,000 square foot lots) to the SC-1 (Neighborhood Shopping Center) Zone.

If the moving Council Member disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:

Based on my reading of the staff report and/or the new evidence and further explanations and discussions received in this meeting today, I move that the City Council deny the request to amend the General Plan Future Land Use Map for 2.41 acres located at approximately 8600 South and 5600 West from Medium Density Residential to Neighborhood Commercial and deny the request to rezone 2.41 acres located at approximately 8600 South and 5600 West from R-1-8D (Single-family Residential 8,000 square foot lots) to the SC-1 (Neighborhood Shopping Center) Zone. Specifically, I find that the following required criteria for a Future Land Use Map Amendments and Zoning Map amendments have not been met:

Future Land Use Map Amendment Findings:

- A. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.
- B. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.
- C. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.
- D. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.
- E. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.
- F. The proposed amendment is consistent with other adopted plans, codes and ordinances.

Zoning Map Amendment Findings:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City's General Plan.
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.
4. The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Which criteria has been met or not met? Why?

Note: All applicable criteria must be met to support a positive action by the City Council.

VII. ATTACHMENTS:

- Exhibit A – Zoning and Vicinity Map
- Exhibit B – Land Use Map
- Exhibit C – Aerial map
- Exhibit D – Conceptual Site Plan
- Exhibit E – GP Change Application
- Exhibit F – Zone Change Application
- Exhibit G – General Plan Narrative
- Exhibit H – Zone Change Narrative
- Exhibit I – Traffic Impact Study
- Exhibit J – Traffic Engineer's memo
- Exhibit K - Future Street Map
- Exhibit L – Portion of proposed subdivision plat
- Exhibit M – Planning Commission Minutes April 15, 2014
- Exhibit N – Draft Ordinance



Melanie S. Briggs, MMC
City Clerk
8000 South Redwood Road
West Jordan, Utah 84088
801-569-5117
Fax 801-563-4716

April 21, 2014

Jeff Taylor
Perry Homes Utah, Inc.
17 East Winchester #200
Murray UT 84107

Dear Jeff:

The City of West Jordan City Council will hold a public hearing on Wednesday, May 14, 2014, at 6:00 p.m. at the West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering a General Plan Land Use Map Amendment for 2.41 acres from Medium Density Residential designation to Neighborhood Commercial designation and Rezone from R-1-8D (Single-Family Residential 8,000 square foot lots) Zone to SC-1 (Neighborhood Shopping Center) Zone, for Copper Valley Commercial located at approximately 8600 South 5600 West, Perry Homes Utah, Inc./Jeffery Taylor, applicant. Copies of the City Council agenda packet for the items listed below will be available at the City offices, or on the City Council Agenda webpage the Friday prior to the meeting.

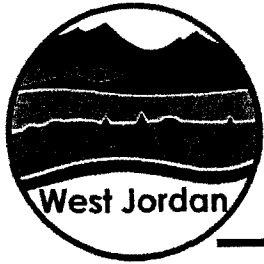
You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. Items may be moved on the agenda or tabled by the City Council. Copies of the agenda packet for this meeting will be available at the West Jordan libraries and on the City's website www.wjordan.com approximately 4 days prior to the meeting.

If you have any questions, please feel free to call me at 801-569-5117.

Sincerely,

Melanie S Briggs, MMC
City Clerk

Cc: Planning Department
File



*Entity
making*

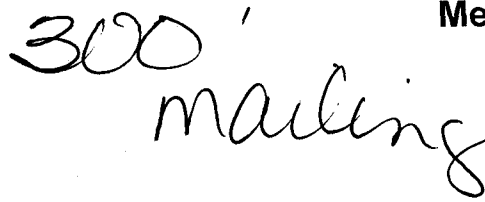
**Melanie S. Briggs, MMC
City Clerk**

8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5117
Fax (801) 563-4716

THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING

The City of West Jordan City Council will hold a public hearing on Wednesday, May 14, 2014, at 6:00 p.m. at the West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering a General Plan Land Use Map Amendment for 2.41 acres from Medium Density Residential designation to Neighborhood Commercial designation and Rezone from R-1-8D (Single-Family Residential 8,000 square foot lots) Zone to SC-1 (Neighborhood Shopping Center) Zone, for Copper Valley Commercial located at approximately 8600 South 5600 West, Perry Homes Utah, Inc./Jeffery Taylor, applicant. Copies of the City Council agenda packet for the items listed below will be available at the City offices, or on the City Council Agenda webpage the Friday prior to the meeting. You are invited to attend the Public Hearing and provide information for West Jordan to consider in the process of preparing, adopting, and implementing a general plan or amendment to a general plan concerning impacts that the use of land proposed in the proposed general plan or amendments to the general plan may have on your entity; and uses of land within West Jordan that your entity is planning or considering that may conflict with the proposed general plan or amendment to the general plan, and/or take part in the discussions and voice any support or concerns you may have with the above-mentioned amendment. If you want to speak on an item, the time will be limited to 3 minutes. If you have any questions, please contact the Planning and Zoning Department at 801-569-5060.





8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5117
Fax (801) 563-4716

The City of West Jordan, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call the City Recorder at 569-5115, giving at least three working days notice.

4770 S. 5600 W.
P.O. BOX 704005
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FED.TAX I.D.# 87-0217663
801-204-6910

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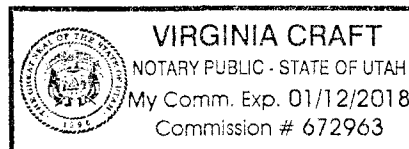
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THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING The City of West Jord			
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THE CITY OF WEST JORDAN, UTAH
NOTICE OF PUBLIC HEARING
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Published this 24th day of April 2014
Melanie S Briggs, MMC
City Clerk
903473 UPAJLP

AFFIDAVIT OF PUBLICATION

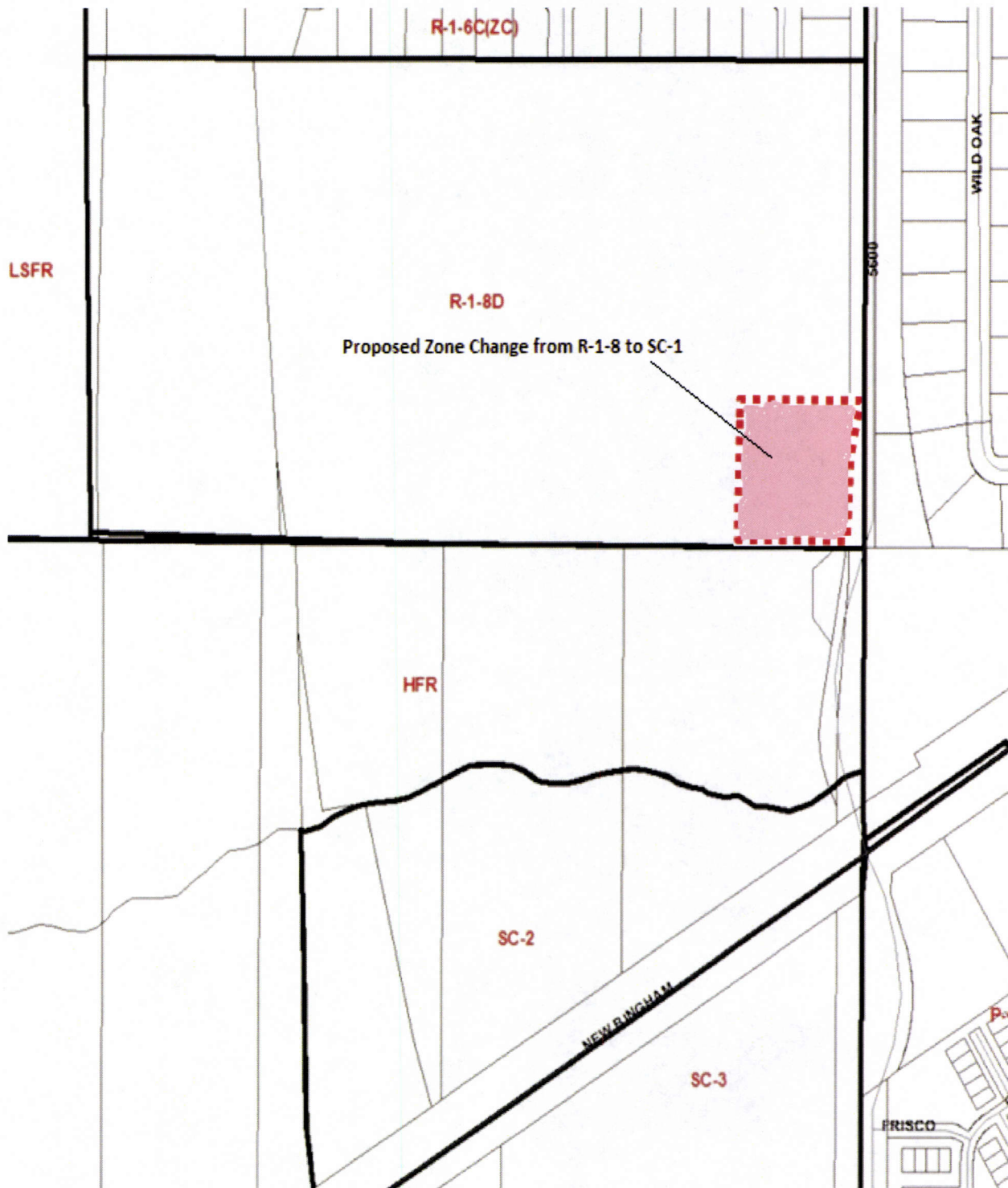
AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING** The City of West Jordan City Council will hold a public hearing on Wednesday, May 14, 2014, at 6:00 p.m. FOR **CITY OF WEST JORDAN**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

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DATE 4/24/2014



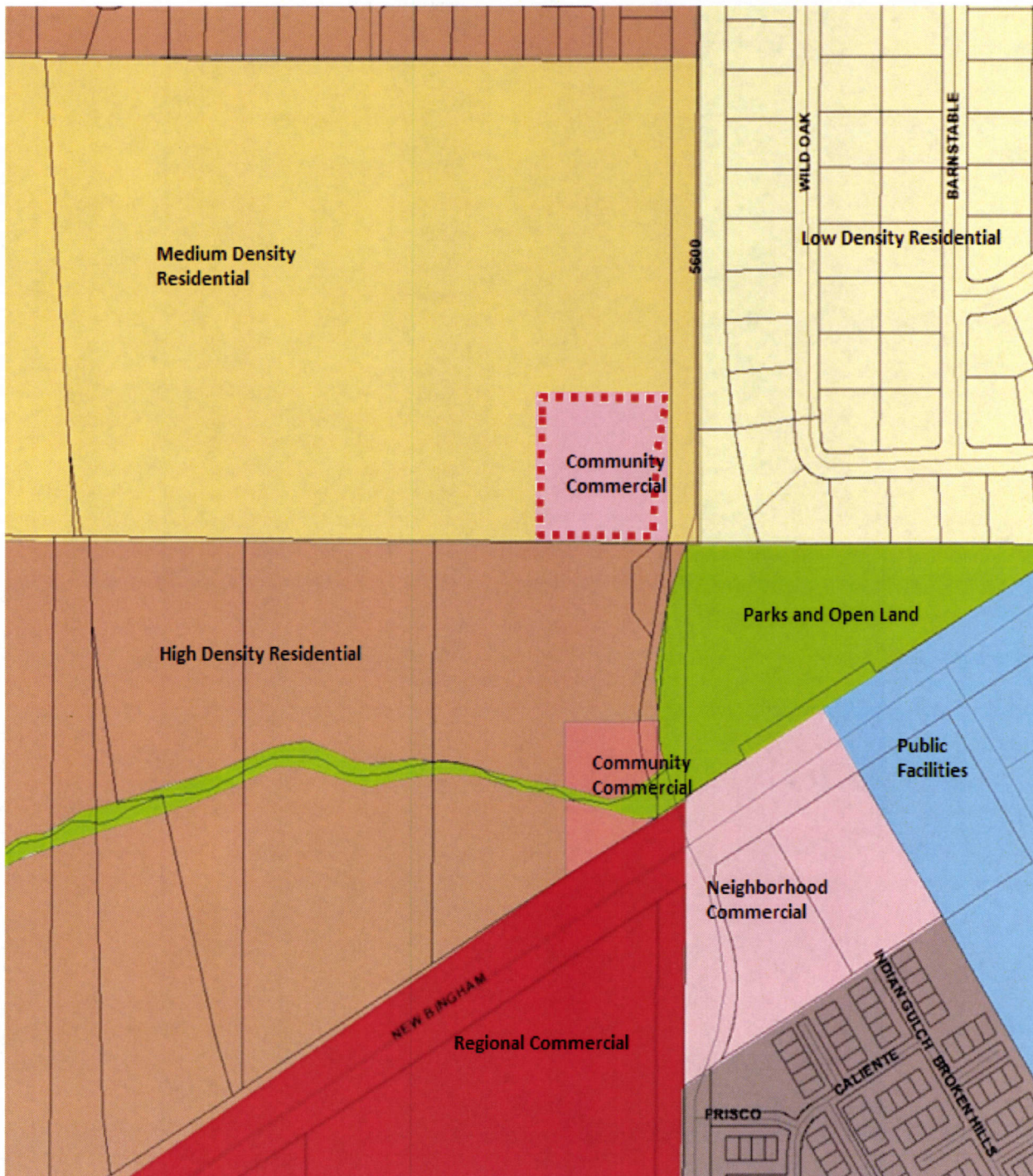
Virginia Craft
NOTARY SIGNATURE

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT



Zoning and Vicinity Map

Exhibit A



Future Land Use Map

Exhibit B



Aerial Map

Exhibit C

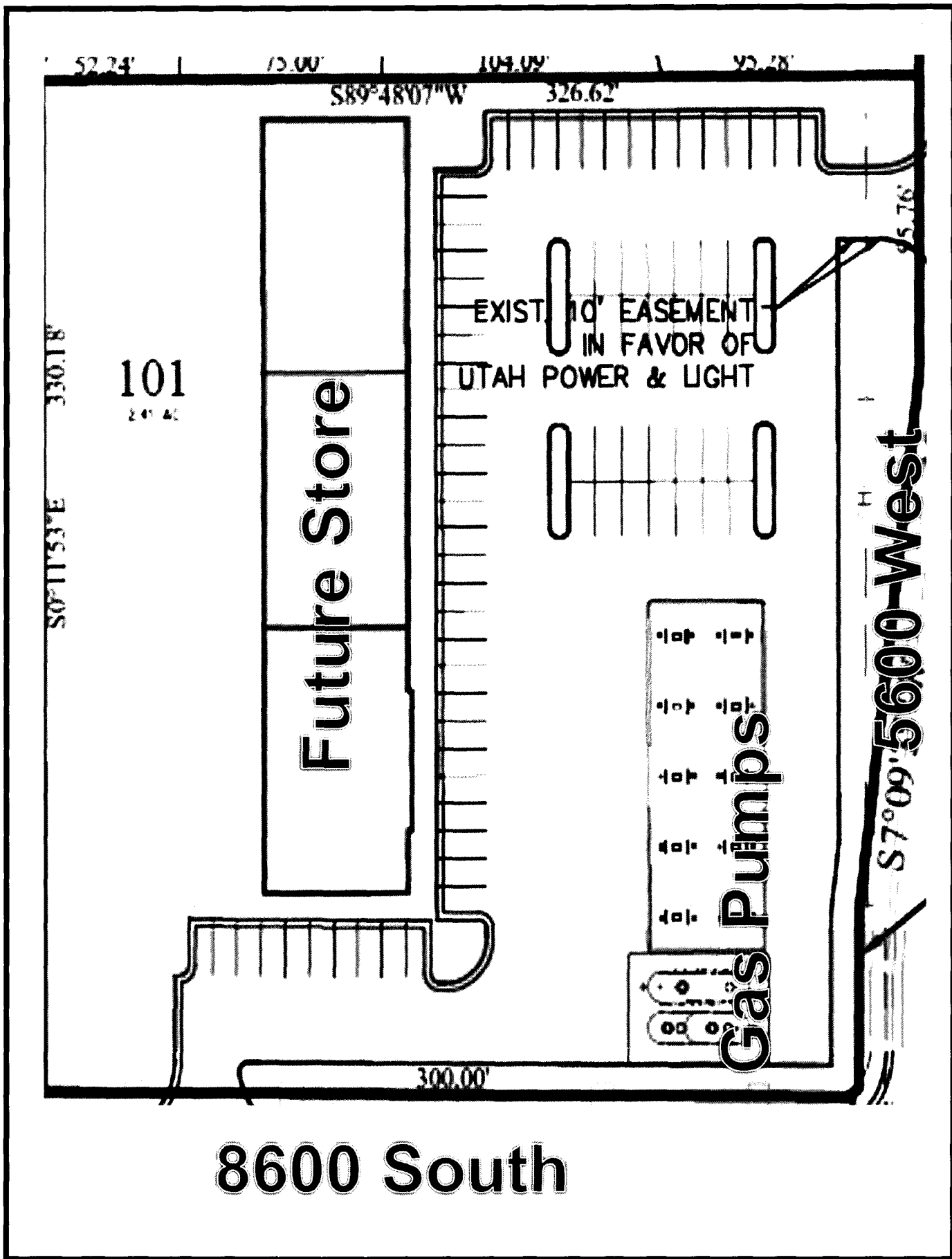


Exhibit D

Conceptual Site Plan



**CITY OF WEST JORDAN
COMMUNITY DEVELOPMENT APPLICATION**

8000 South Redwood Road
(801) 569-5180

Sidwell # 20-39-400 - 029-0000 Acreage: 23.95 Lots: 86 Zoning: R-1-8

Project Location: 8600 South 5600 West

Project Name: Copper Gate Estates - General Plan Amendment

Type of Application: ☒ Subdivision ☐ Conditional Use Permit
☐ Site Plan ☒ General Land Use Amendment
☒ Rezone ☐ Agreement
☐ Condominium ☐ Other

Applicant: Jeffery Taylor Company: Perry Homes Utah, Inc.

Address: 17 E. Winchester #200

City: Murray State: Utah Zip: 84107

Telephone: Office: 801-264-8800 Cell: 801-718-3800

Email: JTaylor@perryhomesutah.com

Property Owner: LH Perry Investments / Bawden, Marilyn; Tr. et al

Address: 17 E. Winchester #200

City: Murray, UT State: Ut. Zip: 84107

Telephone: Office: 801-264-8800 Cell: 801-718-3800

Email: JTaylor@perryhomesutah.com

Engineer: Thomas Romney / Ron Paul Company: Focus Engineering

Address: 502 W. 8360 S.

City: Sandy State: Ut. Zip: 84070

Telephone: Office: 801-352-0075 Cell: 801-403-5281

Email: tromney@focusutah.com

Architect: N/A Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

SIGNATURE: [Signature] DATE: 5-29-13

Project #: GPA20130002 Date: 4/18/13

Received By ODA Lg PLANNING SK ENGINEERING NN

Application
Exhibit E



CITY OF WEST JORDAN COMMUNITY DEVELOPMENT APPLICATION

8000 South Redwood Road
(801) 569-5180

Sidwell # 20 35-400-025-0000 Acreage: 23.95 Lots: 80 Zoning: R-1-8

Project Location: 8600 South 5600 West

Project Name: Copper Gate Estates - Rezone

Type of Application: ☒ Subdivision ☐ Conditional Use Permit
☐ Site Plan ☒ General Land Use Amendment
☒ Rezone ☐ Agreement
☐ Condominium ☐ Other

Applicant: Jeffery Taylor Company: Perry Homes Utah, Inc.

Address: 17 E. Winchester #200

City: Murray State: Utah Zip: 84107

Telephone: Office: 801-264-8800 Cell: 801-718-3800

Email: jtaylor@perryhomesutah.com

Property Owner: LH Perry Investments / Bowden, Marilyn; Tr. et al

Address: 17 E. Winchester #200

City: Murray, UT State: Ut. Zip: 84107

Telephone: Office: 801-264-8800 Cell: 801-718-3800

Email: jtaylor@perryhomesutah.com

Engineer: Thomas Ramsey / Ron Paul Company: Focus Engineering

Address: 502 W. 8360 S.

City: Sandy State: Ut. Zip: 84070

Telephone: Office: 801-352-0075 Cell: 801-403-5281

Email: trammey@focusutah.com

Architect: N/A Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

SIGNATURE: [Signature] DATE: 5-29-13

Project #:	<u>ZC20130007</u>	Date:	<u>6/18/13</u>
Received By: ODA	<u>LG</u>	PLANNING	<u>SK</u>
		ENGINEERING	<u>NN</u>

Application

Exhibit F

General Plan Map Amendment

23.95 Acres at approx. 5600 West and 8600 South

Property Owners- LH Perry Investments/Bawden, Marilyn; TR et al

Present Zoning R-1-8

Present Land Use—Dry Farm

Proposed Land Use—Approx. 2 acres to be rezoned to SC-1, the remainder to stay as R-1-8.

We are requesting a General Plan Map Amendment for approximately two acres at approx. 5600 West and 8600 South. We would like the southeast corner of our property to be changed to an SC-1 zone.

This will allow for some kind of a C-Store-Gas Station type use. This designation will fit within the Municipal Codes of West Jordan City. We will meet the cities requirements as to entrances and an exit to this property to maintain a balance with existing traffic as well as additional traffic this change will create. The current designation of R-1-8 will not accommodate this C-Store type of development, therefore, we respectfully ask that this designation be changed.

We appreciate your consideration in this matter. We feel that this change will be of great value and convenience to West Jordan City and to the residents in this area.

Zoning Ordinance Map Amendment

We are requesting a zone change for a portion of our ground at 8600 South and 5600 West. The land is currently zoned R-1-8 and we are requesting that the southeast corner be rezoned to SC-1.

The public purpose will be best served by this change as it will bring the opportunity for a Gas Station /C-Store venue to an area missing this element. This zoning amendment will be compatible and consistent with the goals and policies of the General Plan.

As we move forward on this project, we do not see adverse effects on adjacent landowners. We see only convenience being added to those who are in this area.

Impacts on City services such as water, sewer, storm drain, public streets, traffic, fire , and police services will be felt, yet will be minimal. The impact will be offset by the convenience added to the residents and businesses in this locale.

This Ordinance Amendment will lessen the impact on local schools as it eliminates a number of potential home sites.

This development will have a positive impact on the local economy and will add tax revenue to West Jordan City as well.

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Copper Valley Estates development in West Jordan, Utah. The proposed development is located on the northwest corner of the 5600 West / New Bingham Highway (SR-48) intersection.

Included within the analyses for this study are the traffic operations and recommended mitigation measures for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways in the vicinity of the site.

TRAFFIC ANALYSIS

The following is an outline of the traffic analysis performed by Hales Engineering for the traffic conditions of this project.

Existing (2013) Background Conditions Analysis

Hales Engineering performed weekday afternoon (4:00 to 6:00 p.m.) peak period traffic counts at the following intersections:

- 5600 West / New Bingham Highway (SR-48)
- Mirror Lake Drive / 5600 West

These counts were performed on Thursday, August 29, 2013. The p.m. peak hour was determined to be between the hours of 5:00 and 6:00 p.m. Detailed count data are included in Appendix A.

As shown in Table ES-1, all study intersections are currently operating at acceptable levels of service during the p.m. peak hour. No significant queuing is anticipated at any of the study intersections.

Project Conditions Analysis

The proposed land use for the development has been identified as follows:

- Single-Family Detached Housing: 79 units
- Gasoline/Service Station with Convenience Market: 10 vehicle fueling positions

The total trip generation for the development is as follows:

- Daily Trips: 2,473
- a.m. Peak Hour Trips: 167
- p.m. Peak Hour Trips: 220

Existing (2013) Plus Project Conditions Analysis

As shown in Table ES-1, all study intersections are currently experiencing acceptable levels of service during the p.m. peak hour. No significant queuing is anticipated at any of the study intersections.

TABLE ES-1 P.M. Peak Hour West Jordan - Copper Valley Estates		
Intersection	Existing 2013 Background	Existing 2013 Plus Project
Description	LOS (Sec/Veh ¹)	LOS (Sec/Veh ¹)
5600 West / New Bingham Highway	A (7.6)	A (9.1)
Mirror Lake Drive / 5600 West	EB / A (4.7)	EB / A (5.3)
8520 South / 5600 West ²	-	EB / A (5.3)
North Commercial Access / 5600 West ²	-	EB / A (5.9)
South Commercial Access / 8600 South ²	-	SB / A (3.6)
¹ Intersection LOS and delay (seconds/vehicle) values represent the overall intersection average for signalized and all-way stop controlled intersections and the worst approach for all other unsignalized intersections. ² These are project intersections and were only evaluated in "plus project" scenarios.		
Source: Hales Engineering, September 2013		

RECOMMENDATIONS

The following mitigation measures are recommended:

Existing (2013) Background Conditions Analysis

No mitigation measures are recommended.

Existing (2013) Plus Project Conditions Analysis

No mitigation measures are recommended.

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- The study intersections currently experience acceptable levels of service.
- With project traffic added, no mitigation measures are recommended.
- The access spacing requirements for all three proposed accesses are met, however, the two commercial accesses near the 5600 West / New Bingham Highway (SR-48) intersection do not appear to meet corner clearance requirements, and a variance will likely be required for both accesses.



Memo

To: Nate Nelsen, PE City Engineer
From: Bill Baranowski, PE, City Traffic Engineer
Date: April 2, 2014
Re: Copper Valley Estates and Rezone Traffic Review

The traffic impact study received on April 1, 2014 by Hales Engineering was reviewed for this memo. The study analyzed two key intersections and the access proposed to the 2.41 acre rezone neighborhood commercial lot located on the northwest corner of 5600 West/8600 South.

- 1. Neighborhood Commercial Access Analysis:** The proposed 2.41 acre neighborhood commercial corner is too small to meet West Jordan City corner clearance standards as identified in Chapter 2 of the Road and Bridge Standards. The corner clearance minimum required by the standard is 420 ft. on 5600 West. The proposed access is approximately 100 ft. to short. The City will allow this access driveway to be a right in- right out access that includes a raised median in the center of 5600 West when the corner is developed. The corner clearance minimum required by the standard is 365 ft. on 8600 South. The proposed access is approximately 100 ft. to short. The City will allow this access driveway to be a right in- right out access that includes a raised median in the center of 8600 South when the corner is developed. A note should be included on the subdivision plat indicating this access restriction.
- 2. Sight Distance at Major Intersections:** Provide line of sight triangles for determining stopping sight distances for wall and landscape restrictions. These shall be drawn on the site plan. There is one intersection on 5600 West that requires sight distance triangles on the site plan.
- 3. Safe Routes to School:** The Safe Routes to School are not identified in the traffic impact study with routes for Elementary and Middle School Children. There are 79 single family houses proposed within the development and students will walk north and cross 5600 West at the existing school crosswalk located at the rear of West Hills Middle school.

Traffic Engineer Memo

Exhibit J

City of
West Jordan

Department of Engineering - GIS Division
Future Streets Classification

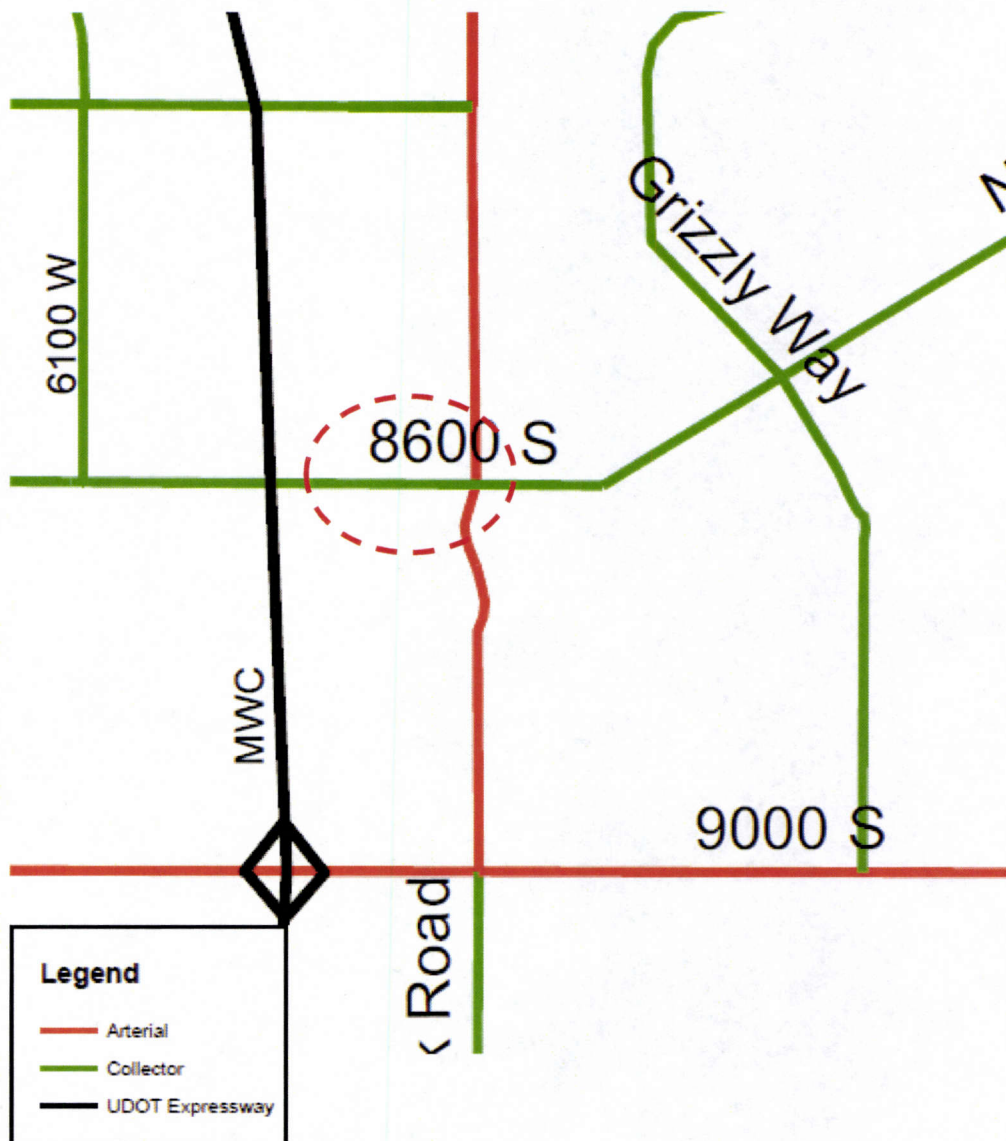
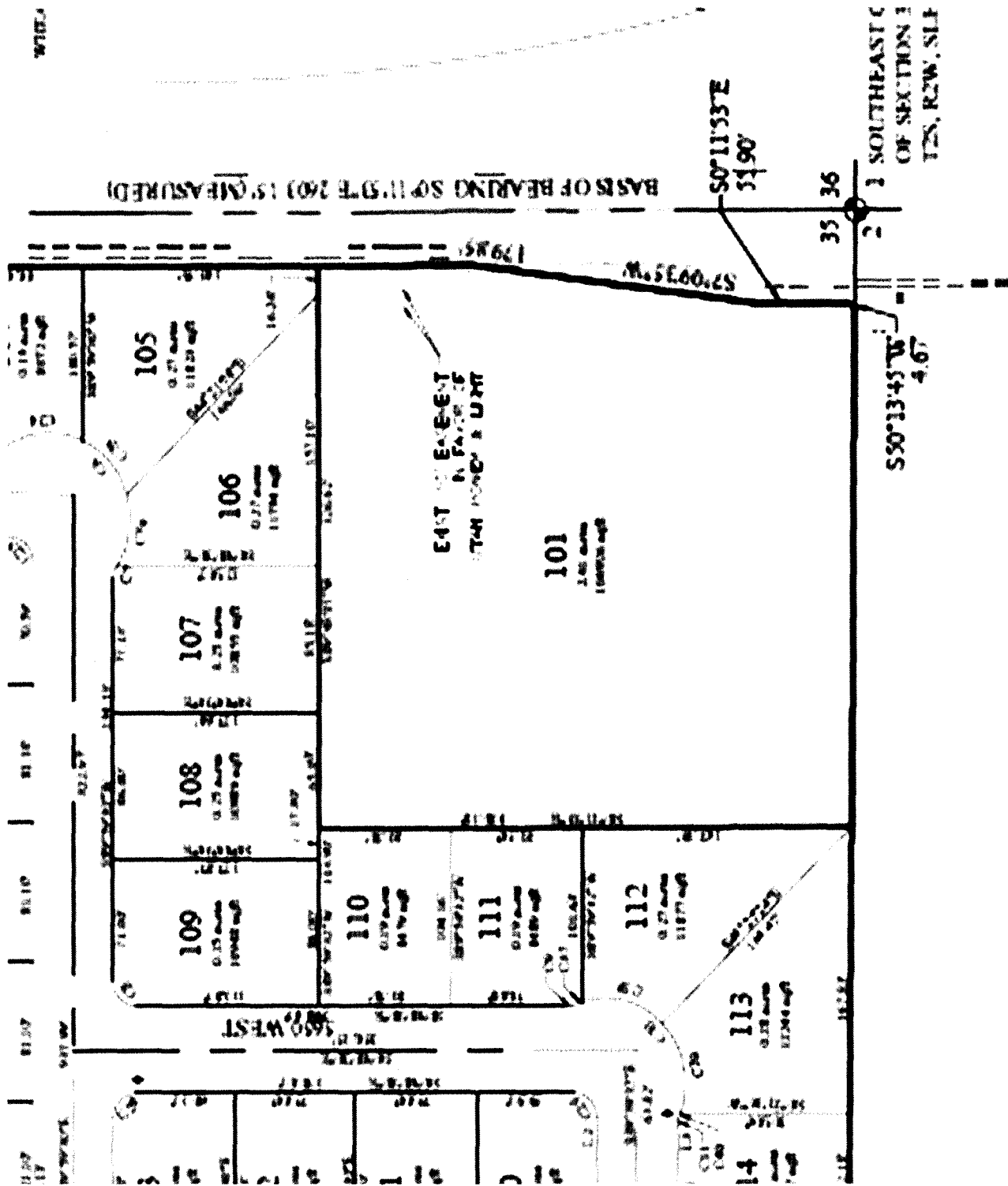


Exhibit K Future Street Map



Portion of Subdivision Plat

Exhibit L

Please find April 15, 2014 Planning Commission minutes on the following pages.

Exhibit M 4/15/2014 Planning Commission Minutes

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD APRIL 15, 2014 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Dan Lawes, Sophie Rice, David Pack, Zach Jacob, Lesa Bridge, and Ellen Smith. Bill Heiner was absent.

STAFF: Tom Burdett, Robert Thorup, Greg Mikolash, Larry Gardner, Nathan Nelson, and Julie Davis

OTHERS: June Christiansen, Lynn Rasband, Jeff Taylor

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed and clarifying information on the subject property was presented. The topics for the upcoming joint City Council and Planning Commission workshop were given.

The regular meeting was called to order at 6:02 p.m.

1. Consent Calendar
Approve Minutes from April 1, 2014

MOTION: Zach Jacob moved to approve the minutes. The motion was seconded by Lesa Bridge and passed 6-0 in favor. Bill Heiner was absent.

2. Copper Valley Rezone and Future Land Use Map Amendment; Continued from April 1, 2014; Northwest Corner of 8600 South 5600 West; Future Land Use Map Amendment for approximately 2.41 acres from Medium Density Residential to Neighborhood Commercial and Rezone approximately 2.41 acres from R-1-8D (Single-family Residential 8,000 square foot lots) Zone to SC-1 (Neighborhood Shopping Center) Zone; Perry Homes Utah, Inc. (applicant) [#ZC20130007, GPA20130002; parcel 20-35-400-025]

Jeff Taylor, Perry Homes, said they have owned the property for 30 years and now wish to develop the single family product as well a commercial component. The intersection was changed and they now feel that the property lends itself to neighborhood commercial. There aren't a lot of gas/service stations available in the area. They submitted a traffic engineering report and other drawings that show how commercial zoning would work in the area. Since they will be building the surrounding homes they are confident that the commercial lot won't impact home values.

Dan Lawes noted that it is a large piece of property for a gas station.

Jeff Taylor said it would be some type of C Store with a service station. They don't have any immediate plans to develop it, but that type of use would work with the property layout.

Larry Gardner said the proposal is to change the future land use map to neighborhood commercial with an SC-1 zoning, which would allow for things such as small retail, gas stations, food stores, etc. Since New Bingham Highway was realigned it puts this property on the corner of an arterial and collector street. There is no definite date for installation of 8600 South. A traffic impact study shows that the

level of service along the streets and intersection won't change if the property is developed as commercial. However, mitigation would be required, such as a right in and right out from both 8600 South and 5600 West to prevent traffic backing and to preserve safety in the corridor. He showed a concept of the residential subdivision and commercial lot layout.

Future Land Use Map Amendment

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to amend the Future Land Use map from Medium Density Residential to Neighborhood Commercial for approximately 2.41 acres of property generally located at 8600 South 5600 West.

Zoning Map Amendment

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone approximately 2.41 acres of property generally located at 8600 South 5600 West from R-1-8D (Single-family Residential, 8,000 square foot lot minimum) to SC-1 (Neighborhood Shopping Center) zone.

Dan Lawes opened the public hearing.

June Christiansen, West Jordan resident, was concerned with the land use changes that are happening at a rapid pace throughout this entire area. With each change it crowds out the open space with smaller lots. She asked if this area is the best place for commercial uses since there is already some on the Bingham Highway where it is a busier corridor. This property could be used as a school or something more residential in nature to help cut down on congestion, traffic, and noise. She asked what the area and crime will be like in 10-15 years. She said the city center may be shifting this direction and she asked if that is what they want.

The applicant had nothing to add.

Further public comment was closed for this item.

Zach Jacob appreciated Ms. Christiansen's comment. He lives nearby in the Maples and knows the area is changing. He was happy when a gas station was built on Baccus Highway because of the convenience. He was inclined to support the proposal, realizing that it is very conceptual at this point.

Sophie Rice appreciated the comment of packing in more homes, but this request is to remove a little bit of residential and make a very small, restricted community commercial zone. She also lives near this area and stated that it needs a gas station. This area will eventually be a busy intersection and she wouldn't want to live on that corner.

MOTION: Dan Lawes moved based on the findings set for in the staff report to forward a positive recommendation to City Council for the Copper Valley Land Use Map Amendment; 8600 South 5600 West; Perry Homes Utah, Inc./Jeffery Taylor (applicant) to amend the future land use map for approximately 2.41 acres from Medium Density Residential to Neighborhood Commercial. The motion was seconded by Lesa Bridge and passed 6-0 in favor. Bill Heiner was absent.

MOTION: Dan Lawes moved to forward a positive recommendation to City Council for the Copper Valley Rezone; 8600 South 5600 West; Perry Homes Utah, Inc./Jeffery Taylor (applicant) to rezone approximately 2.41 acres from R-1-8D to SC-1. The motion was seconded by Lesa Bridge and passed 6-0 in favor. Bill Heiner was absent.

Dan Lawes reminded the commissioners of the joint workshop with the city council on April 30th at 6:00 p.m.

David Pack said he spoke to Chad Nichols recently and asked what the planning commission could do to make the city council's job easier. His answer was to make sure they are thorough in their work. Commissioner Pack reported that the CDBG/Home Committee had completed their meetings and recommendations. The committee members were amicable in their decisions and the program will be able to help a lot of West Jordan residents.

MOTION: Lesa Bridge moved to adjourn.

The meeting adjourned at 6:19 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2014

Please find proposed ordinance on the following pages.

Exhibit N Proposed Ordinance

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 14-18

AN ORDINANCE AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USE AND REZONE FROM R-1-8D (SINGLE-FAMILY RESIDENTIAL 8,000 SQUARE FOOT MINIMUM LOT SIZE) TO SC-1(NEIGHBORHOOD SHOPPING CENTER) ZONE FOR 2.41 ACRES OF PROPERTY LOCATED AT 8600 SOUTH 5600 WEST

WHEREAS, an application was made by Perry Homes Utah, Inc. to amend the General Plan Future Land Use Map from Medium Density Residential to Neighborhood Commercial Land Use and Rezone from R-1-8D (Single-family Residential 8,000 square foot minimum lot size) to SC-1(Neighborhood Shopping Center) Zone for 2.41 acres of property located at 8600 South 5600 West.

WHEREAS, on April 15, 2014, the Future Land Use Map amendment and Rezone request was considered by the Planning Commission, which has made a positive recommendation to the City Council concerning the General Plan Future Land Use Map from Medium Density Residential to Neighborhood Commercial and Rezone from R-1-8D (Single-family Residential 8,000 square foot minimum lot size) to SC-1 (Neighborhood Shopping Center) Zone for 2.41 acres of property located at 8600 South 5600 West; and,

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on May 14, 2014; and,

WHEREAS, the City Council of the City of West Jordan finds, subject to the specified conditions, that:

1. the proposed amendments to the zoning map are consistent with the purposes, goals, objectives, and policies of the City's General Plan; and,
2. the proposed amendments to the zoning map are harmonious with the overall character of existing development in the immediate vicinity of the subject property; and,
3. the proposed amendments to the zoning map will not adversely affect adjacent properties; and,
4. the proposed amendments to the zoning map are consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and,
5. public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection, are now, or will be made by the Developer, adequate.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

Section 1. The Future Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the future land use designation from Medium Density Residential to Neighborhood Commercial located approximately at 8600 South 5600 West, more appropriately described below:

A portion of the SE1/4 of Section 35, Township 2 South, Range 2 West, Salt Lake Base & Meridian, West Jordan, Utah, more particularly described as follows:

Beginning at a point located N89°39'37"W along the Section line 57.64 feet from the Southeast Corner of Section 35, T2S, R2W, S.L.B.& M.; thence N89°39'37"W along the Section line 300.00 feet; thence N0°11'53"W 330.18 feet; thence N89°48'07"E 326.62 feet; thence S0°11'53"E 95.75 feet parallel with, and 31' westerly of the east line of said Section 35; thence S7°09'35"W 179.85 feet; thence S0°11'53"E 55.90 feet; thence S50°13'45"W 4.67 feet to the point of beginning.

Contains: 2.41+/- acres

Section 2. The Zoning Map Of The City Of West Jordan, Utah, is hereby amended by changing the zoning from R-1-8D (Single-family Residential 8,000 square foot minimum lot size) to SC-1(Neighborhood Shopping Center) Zone located approximately at 8600 South 5600 West, more appropriately described below:

A portion of the SE1/4 of Section 35, Township 2 South, Range 2 West, Salt Lake Base & Meridian, West Jordan, Utah, more particularly described as follows:

Beginning at a point located N89°39'37"W along the Section line 57.64 feet from the Southeast Corner of Section 35, T2S, R2W, S.L.B.& M.; thence N89°39'37"W along the Section line 300.00 feet; thence N0°11'53"W 330.18 feet; thence N89°48'07"E 326.62 feet; thence S0°11'53"E 95.75 feet parallel with, and 31' westerly of the east line of said Section 35; thence S7°09'35"W 179.85 feet; thence S0°11'53"E 55.90 feet; thence S50°13'45"W 4.67 feet to the point of beginning.

Contains: 2.41+/- acres.

The described property shall hereafter be subjected to the SC-1 land-use restrictions and limitations as are stipulated for this zone.

Section 3. This Ordinance shall become effective upon publication or upon the expiration of twenty days following passage, whichever is earlier.

Passed by the City Council of West Jordan, Utah, this 14th day of May 2014.

CITY OF WEST JORDAN

By: _____
Kim V. Rolfe
Mayor

ATTEST: _____

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

"AYE"

"NAY"

ORD-14-18

Councilmember Jeff Haaga

Councilmember Stoker

Councilmember Nichols

Councilmember Hansen

Councilmember Southworth

Councilmember McConnehey

Mayor Kim V. Rolfe

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]
